

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, April 16, 1937,
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 139, A bill to be entitled "An Act declaring the policy of and making appropriation for the support, maintenance, operation, and improvement of the several state institutions of higher learning for the two fiscal years, beginning September 1, 1937, and ending August 31, 1939, both dates inclusive, and for certain other educational agencies of the State, prescribing certain restrictions concerning the expenditures of said appropriation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODRUFF, Vice-Chairman.

Committee Room,
Austin, Texas, April 15, 1937,
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 420 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, April 16, 1937,
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 235 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, April 16, 1937,
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 106 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

SIXTY-FIRST DAY.

(Monday, April 19, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

The following Senator was absent and excused:

Weinert

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of Friday, April 16, 1937, was dispensed with, on motion of Senator Roberts.

Reports of Standing Committees.

Reports on Senate Bills Nos. 185, 476, and 479 and on House Bills Nos. 527, 1057 and 985 were submitted by the chairmen of the several committees to which they were referred.

Leave of Absence Granted.

Senator Weinert was granted leave of absence for today, on account of important business, on motion of Senator Holbrook.

Senate Joint Resolution No. 5 on Engrossment.

Senator Sulak called up from the President's table, on its passage to engrossment (the resolution having been read second time on Wednesday, April 7, 1937 and having been tabled subject to call on Friday, April 16, 1937):

S. J. R. No. 5, Proposing an amendment of Section 51b of Article

III of the Constitution of the State of Texas so as to require the Legislature to provide for a system of Old Age Pension and/or Assistance not to exceed Fifteen Dollars (\$15) per person per month to actual bona fide residents of the State of Texas, over the age of sixty-five years, excluding therefrom habitual criminals, habitual drunkards and inmates of a State supported institution; providing for the length of time of actual residence by applicants within the State of Texas; authorizing the Legislature to accept financial assistance from the United States Government for Old Age Pensions and/or Assistance, levying a two per cent occupation tax on persons engaged in the business of making retail sales of goods, wares, merchandise and commodities including the gross receipts of places of amusement; creating a Special Old Age Pension and/or Assistance Fund or funds and providing that same shall never be diverted; providing that said fund shall be prorated to the aged of this State without regard to previous standards of living, income or other restrictions than those specifically set forth; requiring the Legislature to define terms, to set up machinery to administer such law and to make appropriations necessary for the administration of same; providing for the necessary proclamation, publication and election.

With amendment by Senator Sulak, substitute by Senator Small and others for the amendment, and amendment by Senator Sulak to the substitute, pending.

Question—Shall the amendment to the substitute be adopted?

(Senator Aikin temporarily in the Chair.)

(President in the Chair.)

Report of Conference Committee on House Bill No. 67.

Senator Burns submitted the following report of the Free Conference Committee on H. B. No. 67:

Austin, Texas, April 19, 1937.

Hon. Walter F. Woodul, President of the Senate, and

Hon. R. W. Calvert, Speaker of the House of Representatives.

Gentlemen: We, your Conference

Committee, to whom was referred H. B. No. 67 have had same under consideration, and we recommend to the Senate and to the House of Representatives that said bill pass in the form attached hereto.

Respectfully submitted,

BURNS,

DAVIS,

WEINERT,

On the part of the Senate.

HANKAMER,

STEVENSON,

TARWATER,

THORNTON,

KNETSCH,

On the part of the House.

By Knetsch.

H. B. No. 67.

**A BILL
to be entitled**

An Act amending Chapter 277, Acts of Regular Session of the Forty-second Legislature, as heretofore amended, being known as the "Motor Carrier Act," by providing that said Motor Carrier Act shall not include and said Act shall not apply to a "Private Commercial Carrier," declaring that a Private Commercial Carrier is not transporting property for compensation or hire within the meaning and contemplation of said Motor Carrier Act and shall not be governed by any of the provisions of said Act applicable to a "Motor Carrier" or "Contract Carrier"; defining a "Private Commercial Carrier," making certain exemptions from "Private Commercial Carrier" and "Motor Carrier" Acts, providing for the obtaining of a permit from the Commission by Private Commercial Carriers, specifying what should be contained in application for permit, requiring the granting of such permit upon the filing of an application as provided, stipulating a fee to be paid upon the filing of such application; making it unlawful for any Private Commercial Carrier to engage in business as such without a permit, providing for identification cards, identification plates, and fees therefor; providing a penalty for violation of the provisions of this Act; providing for carrying of insurance and licensing of drivers; providing for cancellation of permits, and hear-

ings thereon; making it unlawful to operate in violation of the provisions of this Act; exempting all agencies of the State of Texas and all political subdivisions of said State from the provisions of this Act; making an appropriation of the fees to be collected under the provisions of this Act; providing for the payment of salaries of employees to be employed under the provisions of this Act, and fixing the salaries of such employees; fixing the number of hours that the driver, or operator, of a motor vehicle, operating under a Private Commercial Carrier permit, may drive or operate same in continuous service; declaring the purpose of the Act, and that if any portion thereof be held invalid or unconstitutional, the remainder shall not be affected; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Motor Carrier Act, being Chapter 277, Acts of the Regular Session of the Forty-second Legislature of the State of Texas, as heretofore amended, be and the same is hereby amended by adding thereto a new Section to be known as "Section 26," and to read as follows:

Sec. 26. A. The term "motor carrier" as used in the said "Motor Carrier Act" shall not include, and said Act shall not apply to a "Private Commercial Carrier," as said term is hereinafter defined; and it is hereby declared that a Private Commercial Carrier is not transporting property for compensation or hire within the meaning and contemplation of said Act, and shall not be governed by any of the provisions of said Act applicable to a "Motor Carrier" or "Contract Carrier," or any regulations promulgated by the Commission in respect thereto, except as may be hereinafter specifically provided by this Act.

B.—(1) A "Private Commercial Carrier" is any person, firm, corporation, company, copartnership, or association or joint stock association, and their receivers or trustees appointed by any court whatsoever, having a fixed and established place of business and regularly engaged in the transaction of business other than the business of transporting the property of others for compensation

or hire, and which, as an incident to the transaction of such business, transports property of which such carrier is the bona fide owner over the highways of this State, where in the course of transportation a highway between two or more incorporated cities or towns is traversed, by means of a motor vehicle of which such carrier is the bona fide owner in good faith. Provided further, that possession of property under a bona fide consignment contract shall for the purpose of this Act be deemed ownership, if such consignment is incidental to the regular, established business of the consignee.

(2) Provided, however, that a bona fide employee, agent, or consignee of a single principal, who owns his own motor vehicle, or motor vehicles, and who is legally and exclusively engaged in the distribution of the products of said single principal, from an established place of business, shall be entitled to a Private Commercial Carrier permit under the provisions of this Act by complying with the other provisions of this Act.

(3) It is further provided that if any employee, agent or consignee of a single principal makes application for a Private Commercial Carrier permit under the provisions of this Act, the application must also be signed by the principal, or by an officer of the principal, if said principal be a corporation, or by a member of the firm, co-partnership, or association or joint stock company, if the principal be neither an individual nor corporation; and provided further that said Private Commercial Carrier permit, when issued, shall be issued jointly to the principal and the employee, agent, or consignee.

(4) It is further provided that if any agent, employee, or consignee holding a Private Commercial Carrier's permit under the provisions of this Act shall discontinue the distribution of the products of such principal, then said principal shall immediately notify the Railroad Commission, in writing, and said permit shall forthwith be cancelled.

(5) Provided further, that the term "Motor Carrier" and the term "Private Commercial Carrier" shall not be held to include any person transporting his own farm imple-

ments, his own supplies, his own household goods, his own agricultural products, his own live stock or his own feed stuff, or any person transporting logs from the woods to a mill or railroad loading point, any person transporting milk or cream from the farm where produced to a creamery or cheese factory in any such motor vehicle owned by any such person; and the use of the highways by Private Commercial Carriers and by any person transporting his own farm implements, his own supplies, his own household goods, his own agricultural products, his own live stock or his own feed stuff, or any person transporting logs from the woods to a mill or railroad loading point, or any person transporting milk or cream from the farm where produced to a creamery or cheese factory, shall be construed as use of the highways by the general public and shall not be subject to any provisions as to routes or rates.

C.—(1) Every Private Commercial Carrier, before operating as such, shall obtain a permit from the Commission to engage in such business; and the Commission shall issue such permit upon the filing with it of an application in writing, and which written application shall set forth the following facts:

(a) The name and address of the applicant, and a statement showing whether such applicant is an individual, firm, corporation, company, copartnership, or association, or joint stock company. If an individual, the post office address and principal office and place of business shall be given. If a corporation, company, copartnership, or association, or joint stock company, the application shall state in detail the character thereof; and if a corporation, the State in which such corporation is chartered, the names of all officers of the corporation; and all members of any firm, copartnership, association, or joint stock company, the officers thereof; and the principal office and place of business of the applicant.

(b) The application shall set forth the nature of the business in which the applicant is engaged; the length of time in which it has engaged in such business the places where it has engaged in such business during the year next prior to the filing of said application; and the amount of

capital employed in said business, other than capital invested in motor vehicles.

(c) The application shall give a description of each vehicle which the applicant intends to use, including weight and size of vehicle and the manufacturers rated carrying capacity, and the State registration carrying capacity; and shall state that applicant is the bona fide owner thereof.

(d) Said application shall state that the applicant is not a "Motor Carrier," and does not hold a permit or certificate under the provisions of law applicable to "Contract Carriers" or "Common Carriers"; and that none of the motor vehicles described in the application are operated under such permit or certificate.

(e) Said application shall be verified by affidavit of the applicant, or by an officer of the applicant, if said application be a corporation, or by a member of the firm, copartnership, or association or joint stock company, if said applicant be neither an individual nor a corporation; which affidavit shall be made before an officer authorized to administer oaths under the laws of the State of Texas, and shall state that the facts set forth in the application are within the knowledge of the affiant, and that each such fact is true.

(2) The filing of an application as herein provided, and payment of the fee herein stipulated, shall, as of right, entitle the applicant to a permit, and it shall thereupon be the duty of the Commission, without further requirement, to grant a permit to the applicant.

(3) Whenever a Private Commercial Carrier shall desire to place in service additional motor vehicles, he shall file an application for additional identification plates with the Railroad Commission on a form prescribed by it, and the Commission shall be authorized to collect a fee for such plates to be used upon such vehicle as hereinafter provided. Whenever any Private Commercial Carrier desires to retire any motor vehicle from service, he shall immediately give due notice to the Commission upon a form supplied by it, informing the Commission that said motor vehicle has been withdrawn from service.

(4) Upon the filing of each appli-

cation, and before a permit is granted, the applicant shall pay to the Commission a filing fee of Five Dollars (\$5.00).

D.—(1) It shall be unlawful for any Private Commercial Carrier as hereinbefore defined to engage in business as such without a permit.

(2) The Commission shall prescribe an identification card which must be displayed within the cab of each motor vehicle operated under such permit, setting out the permit number and giving the name and address of the owner of said permit and character of business in which such owner is engaged. It shall be unlawful for the owner of said permit, his agent, servant, or employee or any other person to use or display said identification card after said certificate or permit has been cancelled or disposed of.

(3) It shall be unlawful for any Private Commercial Carrier, as hereinbefore defined, to engage in business as such unless there shall be displayed and firmly fixed upon the front and rear of each vehicle, used in such business, an identification plate to be furnished by the Commission. Each of such plates shall be designed so as to identify the vehicle on which the same is attached as being a vehicle authorized to operate under the terms of this law; said plate shall bear the number given to the vehicle by the Commission, and such other marks of identification as may be necessary, and shall be different in design from the plates provided for a motor carrier. The identification plates provided for herein shall be attached in addition to the regular license plates provided by law. It shall be the duty of the Commission to provide these plates; and each motor vehicle operated by a Private Commercial Carrier, as herein defined, shall display such plates as soon as the same are received, and such plates shall be issued annually thereafter and attached to each motor vehicle not later than September 1st of each year, or as soon thereafter as possible. The Commission shall be authorized to collect from the applicant a fee of Two Dollars (\$2.00) for each pair of the plates so issued.

(4) All fees paid to the Commission under the provisions of this Section shall be deposited in the State

Treasury to the credit of the "Motor Carrier Fund."

E.—(1) Before any Private Commercial Carrier may lawfully operate under the permit herein provided, such Private Commercial Carrier shall file with the Commission bonds or insurance policies, as provided by Section 13 of said Motor Carrier Law, and shall comply with the provisions of such section in respect to insurance, except for the carrying of cargo insurance; but it shall not be necessary for such Private Commercial Carrier to file any policies of insurance taken out under the Workmen's Compensation Law of the State of Texas; and each driver of a motor vehicle operated under any permit granted under the terms of this Act shall have a driver's license, which shall be issued by the Commission pursuant to an examination testing the ability and fitness of the applicant, and under such rules and regulations as the Commission may prescribe; provided that every driver aforesaid shall acquire a driver's license within thirty days after this Act takes effect and shall annually hereafter on, or before, the anniversary of the date of the original license acquire renewal thereof. Such license shall be issued for a term of one year. The Commission is empowered further to issue temporary licenses, in case of emergency, for such term as the Commission may deem expedient, provided such term shall not exceed ten days, and there shall be no right or privilege of renewal thereof. The Commission is hereby authorized to collect a fee of One Dollar (\$1.00) for each annual license fee or renewal. The Commission may suspend or revoke any such license for cause and after notice and public hearing. It shall be unlawful for any Private Commercial Carrier to operate a motor propelled vehicle in this State unless such vehicle is operated by a driver holding an unrevoked and uncanceled license issued by the Commission.

(2) Provided further, that the provisions of this Act, and the Motor Carrier Act, as to insurance shall not apply to any person transporting his own farm implements, his own supplies, his own household goods, his own agricultural products, his own live stock or his own feed stuffs.

F. In the event any person, firm, corporation, company, co-partnership, or association or joint stock company holding a permit as a Private Commercial Carrier under this law shall violate any of the provisions hereof; or make any false statement in the application for such permit; or shall engage, directly or indirectly, in the business of transporting the property of others for compensation or hire; or fails or refuses to comply with any of the provisions of this Act, the permit shall be cancelled by the Commission. Before any such permit is cancelled, the holder thereof shall be given a hearing, having first been given ten days' written notice of the time and place of such hearing; which hearing shall be conducted as provided for hearings held under the terms of said Motor Carrier Law, and from the decision at such hearing an appeal may be had as provided in said law for appeals from other hearings provided therein.

G.—(1) Any person, or any member of any firm, co-partnership, or association, or any officer of any corporation violating any provision of this Act shall be deemed guilty of an offense, and upon conviction thereof shall be punished by a fine not exceeding the sum of Five Hundred Dollars (\$500.00), and the revocation of his Private Commercial Carrier's permit for one year from the date of conviction.

(2) Any Private Commercial Carrier who shall engage in the business of transporting the property of others for compensation or hire; or who shall transport any property in a motor vehicle over the highways of this State without having a fixed and established place of business and without being regularly engaged in the transaction of business other than the business of transporting the property of others for compensation or hire; and without being the bona fide owner of such property, or in possession thereof under a bona fide consignment contract, and of such motor vehicle, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding the sum of Five Hundred Dollars (\$500.00), and the revocation of his Private Commercial Carrier's permit for one year from the date of conviction.

(3) Any person making any false statement in any application for a permit under this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding the sum of Five Hundred Dollars (\$500.00), and the revocation of his Private Commercial Carrier's permit for one year from the date of conviction.

H. Provided, further, that all agencies of the State of Texas and all political subdivisions of said State shall not be required to comply with the provisions of this Act.

I. There is hereby appropriated out of the Motor Carrier Fund of the Railroad Commission all of the fees collected under this Act for the purpose of carrying out the provisions of this Act; and the Commission is hereby authorized to employ such number of persons as will be reasonably necessary to properly carry out the provisions of this Act, and said employees shall receive the same salary as other employees of the Commission performing like or similar services, which salaries were fixed in the general appropriation for the present biennium.

J. No Private Commercial Carrier, operating in whole or in part in this State under a permit as such, or any officer or agent of such Private Commercial Carrier, shall require or knowingly permit any truck driver, or his helper, to drive or operate a truck for a period longer than fourteen (14) consecutive hours; and whenever such driver or helper shall have been continuously on such duty for fourteen (14) hours, he shall be relieved and shall not be required or knowingly permitted to again go on duty until he has had at least eight (8) consecutive hours off duty; and no such driver, or helper, who has been on such duty fourteen (14) hours in the aggregate in any twenty-four (24) hour period, shall be required or knowingly permitted to continue, or again go on duty, without having had at least eight (8) consecutive hours off duty; and venue for prosecution under this section shall lie in the county of the residence of the Defendant; provided, that in cases of emergencies caused by the act of God, the foregoing restrictions as to hours shall not apply.

K. It is hereby declared to be the Legislative intent that a Private Commercial Carrier, as herein defined, is not transporting property for compensation or hire within the contemplation of Section 1 (g) or (h) of said Chapter 277, Acts of the Regular Session of the Forty-Second Legislature of Texas, as amended, and that the conditions of the highways of this State and proper regulation of traffic over said highways, and the safety of the public generally does not require that the same regulations prescribed in said Act with respect to "Motor Carriers," as that term is therein defined, should be made applicable to Private Commercial Carriers as herein defined.

L. If any section, subsection, clause, sentence, or phrase of this Act is for any reason held to be unconstitutional, invalid or unenforceable, such holding shall not affect the validity or enforceability of the remaining portions of this Act; and the Legislature hereby declares that it is the purpose hereof to relieve Private Commercial Carriers as herein defined from the provisions and operations of said Motor Carrier Law as incorporated in said Chapter 277, Acts of the Regular Session of the Forty-Second Legislature, and amendments thereof, and that the provisions hereof to that effect would have been enacted notwithstanding any other section, subsection, sentence, clause or phrase hereof be declared unconstitutional.

M. The fact that recent court decisions have construed the definition of "motor carrier," as it exists in the present law, to include operators of motor vehicles whose principal business is not the transportation of property of others for compensation or hire, and the inclusion thereof under the regulations prescribed by the present law is not necessary or desirable for the proper regulation of traffic on the public highways or the safety of the traveling public, but works an undue hardship on those not engaged in the business of transporting the property of others for compensation or hire, and on the public generally, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and such rule is hereby sus-

pending, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Senator Collie, it was ordered that the report be tabled subject to call and that it be printed in the Journal.

Bill Signed.

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bill:

S. B. No. 89, "An Act amending Article 1583 of the Penal Code of Texas, 1925, relating to work and vacation of firemen and policemen in cities of more than twenty-five thousand (25,000) inhabitants and in cities of more than thirty thousand (30,000) inhabitants; fixing the number of hours that shall constitute a legal day's work in such departments in cities of more than 75,000 inhabitants; providing for emergency pay; providing for a minimum wage scale; providing penalty for violation of the provisions of this article, and declaring an emergency."

Message From the Governor.

A Secretary of the Governor was announced by the Doorkeeper, and was recognized by the President, to present the following message from the Governor:

Austin, Texas, April 19, 1937.

To the Members of the Forty-fifth Legislature:

I am disapproving and vetoing S. B. No. 339. The bill is herewith returned to the Senate, the house in which it originated.

I disapprove this bill for the following reasons:

First:

It amends Article 6067, of the Revised Civil Statutes of Texas, dealing with the State Parks Board. The original statute passed in 1923 provided that the directors of such Board should serve without compensation and that they should receive their hotel and necessary traveling expenses incurred in the discharge of their duties. S. B. No. 330, provides that the directors shall each receive as compensation \$10.00 per day not to exceed 60 days each year. This is in addition to the actual and necessary expenses. This means that

for five members of the Board the State would be liable for increased appropriation of \$3,000.00 per year for the salaries of the members of this Board.

Some of the finest service Texas has ever received has been at the hands of non-paid boards. Not a single member of the State Parks Board has requested me to sign this bill. Various communities are represented on the Board, and various other communities have requested that they be given representation. The author of the bill states that he introduced it by request only—and that such request was not at the hands of any member of the Board.

It is true that some of our other boards are paid upon a per diem basis, but it is likewise true that some of the best service secured by the State is at the hands of public spirited citizens who serve without compensation. I feel that the principle involved would ultimately have to be extended to all other boards; and the precedent calls for additional expenditure of money which the taxpayers are not able to pay.

Second:

This bill provides that the Board shall continue to be constituted of five members, each to serve six years; that the first appointees shall serve, one member for two years, two for four years and two for six years. This provision for a five member rotating board is in conflict with the Constitution, which provides that 1/3rd of the membership shall retire each two years. It is impossible to carry out this provision where the Board is composed of five members. True, the present law has the same defect; but the Attorney General has held that the terms under such a law where it is impossible for 1/3rd of the membership to be determined would be two years. If the present law is amended I think it should provide for a board of either three, six or nine members so that 1/3rd of the membership of such board would change each two years.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

(Senator Moore in the Chair.)

Message From the House.

A Clerk from the House was announced by the Doorkeeper and was recognized by the Presiding Officer, to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 19, 1937.

Hon. Walter F. Woodul, President
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 322, A bill to be entitled "An Act to prevent unfair and deceptive merchandising practices; making unlawful certain discriminations in price, service or facilities furnished, or in payment for service or facilities to be rendered in connection with the sale of commodities in the course of trade or commerce in Texas; defining cost and other terms contained therein; providing for penalties and certain specific remedies for violation of the provisions herein; providing that those engaged in selling goods, wares or merchandise in this State may select their own customers; providing for price changes under certain conditions; providing for defense of person charged with violation of this Act; providing for the distribution by co-operatives of net profits to members thereof; providing against the sale or the offering for sale of products at less than cost; providing the system of arriving at or establishing the cost of a given article, product or commodity to the distributor or vendor; providing for exemptions or exceptions to Sections 4 and 5 hereof; designating this Act as the 'Anti-Discrimination Act'; fixing venue for suits brought hereunder; providing that if any part, phrase, Section, sentence or clause is declared invalid or unconstitutional it shall not affect the validity of the remainder of the Act, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

(President in the Chair.)

Senate Joint Resolution No. 5 on
Engrossment.

The Senate resumed consideration of pending business, same being S. J. R. No. 5, on its passage to en-

grossment; with amendment by Senator Sulak, substitute by Senator Small and others for the amendment, and amendment by Senator Sulak to the substitute, pending.

Senator Small moved to table the amendment to the substitute.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—19.

Brownlee	Pace
Collie	Rawlings
Cotten	Redditt
Davis	Roberts
Head	Shivers
Holbrook	Small
Moore	Stone
Neal	Van Zandt
Nelson	Winfield
Oneal	

Nays—10.

Aikin	Newton
Burns	Spears
Hill	Sulak
Isbell	Westerfeld
Lemens	Woodruff

Absent.

Beck

Absent—Excused.

Weinert

Senator Van Zandt offered the following amendment to the substitute:

Amend Small substitute to S. J. R. No. 5 by adding between the words "individuals" and the words "who are blind" the words "over twenty years of age."

The amendment to the substitute was adopted.

Senator Woodruff moved to table the substitute.

Yeas and nays were demanded and the vote on the motion to table was announced, yeas 15, nays 15.

The President voted nay, and the motion to table was lost by the following vote:

Yeas—15.

Aikin	Lemens
Brownlee	Nelson
Head	Newton
Hill	Oneal
Isbell	Shivers

Spears	Westerfeld
Stone	Woodruff
Sulak	

Nays—16.

Mr. President.	Neal
Beck	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Small
Holbrook	Van Zandt
Moore	Winfield

Absent—Excused.

Weinert

Question recurred—Shall the substitute be adopted?

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 19, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 82, Granting Miss Loulie Gurley and others permission to sue the State of Texas and the State Highway Department.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Appointments Announced.

Pursuant to the provisions of S. R. No. 66, the President announced the appointment of the following committee to represent the Senate at the dedication of the new buildings at the Texas State College for Women, on April 21, 1937:

Senators Woodruff, Holbrook, Small, Oneal and Isbell.

House Bill No. 322 on First Reading.

H. B. No. 322 received from the House today, was laid before the Senate, read first time, and referred to the Committee on Commerce and Manufactures.

House Concurrent Resolution No. 82.

H. C. R. No. 82, received from the House today, was laid before the

Senate, read, and referred to the Committee on State Affairs.

Senate Bill No. 481 on First Reading.

The following (local) bill, by unanimous consent, was introduced at this time, read first time and referred to the Committee on Counties and County Boundaries:

By Senator Westerfeld:

S. B. No. 481, A bill to be entitled "An Act authorizing County Auditors in Counties having a population of more than three hundred and twenty thousand (320,000) and less than three hundred and fifty thousand (350,000) persons, by the last preceding or any future Federal Census, to make a complete audit of any and all accounts pertaining to the County Superintendent's office at least once a year, providing for method of keeping accounts, and that no disbursement of school funds shall be made without the approval of the Auditor; and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Recess.

Senator Woodruff moved that the Senate recess to 2:30 o'clock p. m. today.

Senator Redditt moved that the Senate recess to 3:00 o'clock p. m., today.

Senator Beck moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Senator Hill moved that the Senate adjourn until 9:00 o'clock a. m. tomorrow.

Question, first recurring on the motion of Senator Beck, yeas and nays were demanded.

The vote on the motion was announced, yeas 15, nays 15.

The President voted nay, and the motion was lost by the following vote:

Yeas—15.

Beck	Redditt
Brownlee	Shivers
Burns	Small
Holbrook	Spears
Moore	Stone
Newton	Sulak
Pace	Winfield
Rawlings	

Nays—16.

Mr. President	Lemens
Aikin	Neal
Collie	Nelson
Cotten	Oneal
Davis	Roberts
Head	Van Zandt
Hill	Westerfeld
Isbell	Woodruff

Absent—Excused.

Weinert

Question next recurring on the motion of Senator Hill, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—13.

Beck	Small
Brownlee	Spears
Holbrook	Stone
Lemens	Sulak
Pace	Westerfeld
Rawlings	Winfield
Shivers	

Nays—17.

Aikin	Neal
Burns	Nelson
Collie	Newton
Cotten	Oneal
Davis	Redditt
Head	Roberts
Hill	Van Zandt
Isbell	Woodruff
Moore	

Absent—Excused.

Weinert

Senator Moore moved that the Senate adjourn until 9:45 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—14.

Beck	Redditt
Brownlee	Shivers
Holbrook	Small
Moore	Spears
Neal	Stone
Pace	Sulak
Rawlings	Winfield

Nays—16.

Aikin	Collie
Burns	Cotten

Davis	Newton
Head	Oneal
Hill	Roberts
Isbell	Van Zandt
Lemens	Westerfeld
Nelson	Woodruff

Absent—Excused.

Weinert

Senator Moore moved that the Senate adjourn until 9:30 o'clock a. m. tomorrow, and the motion was lost.

Question then recurring on the motion of Senator Redditt, it prevailed, and the Senate, accordingly, at 12:15 o'clock p. m., took recess to 3:00 o'clock p. m. today.

Afternoon Session.

The Senate met at 3:00 o'clock p. m., and was called to order by the President.

Senate Joint Resolution No. 5 on Engrossment.

The Senate resumed consideration of pending business, same being S. J. R. No. 5, on its passage to engrossment; with amendment by Senator Sulak and substitute by Senator Small and others for the amendment pending.

Senator Sulak offered the following amendment to the substitute:

Amend the Small substitute for the Sulak amendment to S. J. R. No. 5 by striking out Section One and inserting in lieu thereof the following:

Section 1. That Section 51b of Article III of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"The Legislature shall, by general law provide for Old Age Pension and/or Assistance and for the payment of same not to exceed Fifteen (\$15.00) Dollars per month to actual bona fide residents of Texas who are over the age of sixty-five (65) years; to needy individuals who are blind, to needy individuals who are unfit for employment due to disease, and to needy dependent children, and to provide reasonable facilities for promoting and protecting the health of needy mothers and children, including adequate medical, surgical and corrective services and care for crippled children. That no habitual

criminal, and no habitual drunkard while such habitual drunkard, and no inmate of any state supported institution, while such inmate, shall be eligible for such Old Age Pension and/or Assistance; provided further that the requirements for length of time of actual residence in Texas shall never be less than five (5) years during the nine (9) years immediately preceding the application for Old Age Pension and/or Assistance and continuously for one year immediately preceding such application.

The Legislature shall have the authority to accept from the Government of the United States such financial aid for Old Age Pension and/or Assistance as that Government may offer not inconsistent with the restrictions hereinbefore provided.

Senator Weinert offered the following amendment to the amendment to the substitute:

Amend the Sulak amendment to the Small substitute to S. J. R. No. 5, by striking out the word resident in line six, and placing in lieu thereof the word citizen.

The amendment to the amendment to the substitute was adopted.

Senator Oneal offered the following amendment to the amendment to the substitute:

Amend Sulak amendment to substitute by adding after the words and figures "sixty-three (63) years" the following:

"and the Legislature shall have the power to provide for assistance."

The amendment to the amendment to the substitute was adopted.

Senator Davis offered the following amendment to the amendment to the substitute:

Amend the Sulak amendment to the Small substitute to S. J. R. No. 5 by striking out the words "pensions and/or."

The amendment to the amendment to the substitute was adopted.

Question recurring on the amendment as amended to the substitute, yeas and nays were demanded.

The roll was called on the amendment as amended to the substitute and the vote announced as yeas 14, nays 16.

Verification of Vote.

Senator Westerfeld called for a verification of the vote.

The names of those recorded as voting "yea" were called.

When the name of Senator Redditt was called as having voted "yea," he stated that he had voted "nay," and the record was corrected accordingly.

The names of those recorded as voting "nay" were then called.

When the name of Senator Shivers was called as having voted "nay," it was announced that Senator Shivers was absent and had not voted on the amendment as amended to the substitute, and the record was corrected accordingly.

The amendment as amended to the substitute was lost, the verified vote being as follows:

Yeas—13.

Aikin	Newton
Burns	Oneal
Davis	Stone
Hill	Sulak
Isbell	Westerfeld
Lemens	Woodruff
Nelson	

Nays—15.

Brownlee	Rawlings
Collie	Redditt
Cotten	Roberts
Head	Small
Holbrook	Van Zandt
Moore	Weinert
Neal	Winfield
Pace	

Absent.

Beck	Spears
Shivers	

Senator Woodruff offered the following amendment to the substitute:

Amend the pending substitute by the Senator from Potter County to S. J. R. No. 5, by striking out Section 2 of said substitute, which Section proposes to abolish the ad valorem taxes for all State purposes except for payment of the Confederate Veterans pension.

Senator Van Zandt moved the previous question on the amendment to the substitute, the substitute, and the amendment, and the motion was duly seconded.

Yeas and nays were demanded, and the vote on the motion for the previous question was announced as yeas 15, nays 15.

Verification of Vote.

Senator Moore called for a verification of the vote.

The names of those recorded as voting "yea" were called.

When the name of Senator Pace was called as having voted "yea," he stated that he had voted "nay," and the record was corrected accordingly.

The names of those recorded as voting "nay" and of the absentees were called, and no further corrections found necessary.

The Senate refused to order the main question at this time, the verified vote being as follows:

Yeas—14.

Burns	Nelson
Cotten	Redditt
Davis	Roberts
Hill	Small
Holbrook	Van Zandt
Lemens	Winfield
Neal	Woodruff

Nays—16.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Collie	Spears
Head	Stone
Isbell	Sulak
Moore	Weinert
Newton	Westerfeld

Absent.

Shivers

Question recurring on the amendment to the substitute, yeas and nays were demanded.

The amendment to the substitute was lost by the following vote:

Yeas—13.

Brownlee	Newton
Burns	Oneal
Cotten	Spears
Head	Stone
Hill	Sulak
Lemens	Westerfeld
Nelson	

Nays—16.

Aikin	Davis
Collie	Holbrook

Isbell
Moore
Neal
Pace
Rawlings
Redditt

Roberts
Small
Van Zandt
Weinert
Winfield
Woodruff

Absent.

Beck

Shivers

Senator Woodruff offered the following amendment to the substitute:

Amend the substitute by the Senator from Potter County for S. J. R. No. 5 by adding the following to Section 3:

"For abolition of the ad valorem tax for State purposes except for Confederate pension."

"Against abolition of the ad valorem tax for State purposes except for Confederate pension."

And strike out the word "and amending Section 9, Article VIII of Constitution so as to eliminate the State ad valorem tax on tangible property," wherever same appears in Section 3.

Yeas and nays were demanded, and the amendment to the substitute was adopted by the following vote:

Yeas—22.

Aikin
Brownlee
Burns
Collie
Cotten
Head
Hill
Isbell
Lemens
Nelson
Newton

Oneal
Pace
Redditt
Roberts
Small
Spears
Stone
Sulak
Westerfeld
Winfield
Woodruff

Nays—7.

Davis
Holbrook
Moore
Neal

Rawlings
Van Zandt
Weinert

Absent.

Beck

Shivers

Senator Oneal offered the following amendment to the substitute:

Amend Small amendment to S. J. R. No. 5 by adding at the end of subdivision (1) of Section 1 the following: "provided further that any financial assistance granted to any person under this Section shall cease

upon such person's leaving the State of Texas and remaining away for a period of time in excess of six (6) months."

(Senator Moore in the Chair.)

The amendment to the substitute was adopted.

Senator Collie offered the following amendment to the substitute:

Amend the pending substitute for S. J. R. No. 5 by striking out all after the word "assistance" in line 6, and including the lines 7, 8 and part of line 9 to the word "years" and insert in lieu thereof the following: "equal in payments to individual qualified applicants not to exceed Fifteen (\$15.00) Dollars per month to needy individuals over the age of sixty-five (65) years, and to provide financial assistance."

Question—Shall the amendment to the substitute be adopted?

(President in the Chair.)

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 1088, A bill to be entitled "An Act providing for emergency relief for Kingsland Common School District No. 29, of Llano County, Texas, to aid said district in the payment of teachers' salaries and in equipping said school building in which there has been an influx of children within scholastic age since the last scholastic enumeration in the State; making an appropriation to said district for said purposes; prescribing the manner of disbursing the funds appropriated by this Act, and declaring an emergency."

The House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 47. The following are conferees on the part of the House:

Messrs. Tennyson, Blankenship, Boethel, Dickison, and Smith of Hopkins.

The House has adopted the Conference Committee report on H. B. No. 67 by a vote of 124 yeas and 2 nays.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Adjournment.

Senator Pace moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed by the following vote:

Yeas—17.

Brownlee	Redditt
Burns	Roberts
Cotten	Small
Holbrook	Spears
Isbell	Stone
Moore	Weinert
Oneal	Westerfeld
Pace	Winfield
Rawlings	

Nays—11.

Aikin	Neal
Collie	Nelson
Davis	Sulak
Head	Van Zandt
Hill	Woodruff
Lemens	

Absent.

Beck	Shivers
Newton	

The Senate, accordingly, at 4:30 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX.

Bills Filed in Department of State.

Austin, Texas, April 17, 1937.

Hon. Bob Barker, Secretary of the Senate.

Dear Sir: I submit herewith a list of bills and resolutions passed by the Forty-fifth Legislature which were filed in this office Friday, April 16, 1937:

S. B. No. 240:
Vote in Senate, yeas 31, nays 0.
Vote in House, yeas 120, nays 0.
Date signed by the Governor,
April 16, 1937.

S. B. No. 377:
Vote in Senate, yeas 29, nays 0.
Vote in House, yeas 118, nays 4.
Date signed by the Governor,
April 16, 1937.

S. B. No. 454:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 124, nays 0.
Date signed by the Governor,
April 16, 1937.

S. C. R. No. 51:
Vote in Senate, viva voce.
Vote in House, viva voce.
Date signed by the Governor,
unsigned.

H. B. No. 87:
Vote in Senate, yeas 29, nays 0.
Vote in House, viva voce.
Date signed by the Governor,
April 16, 1937.

H. B. No. 213:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 120, nays 1.
Date signed by the Governor,
April 16, 1937.

H. B. No. 440:
Vote in Senate, yeas 31, nays 0.
Vote in House, yeas 117, nays 0.
Date signed by the Governor,
April 16, 1937.

H. B. No. 449:
Vote in Senate, yeas 25, nays 0.
Vote in House, yeas 125, nays 0.
Date signed by the Governor,
April 16, 1937.

H. B. No. 748:
Vote in Senate, yeas 26, nays 1.
Vote in House, yeas 110, nays 0.
Date signed by the Governor,
unsigned.

H. C. R. No. 94:
Vote in Senate, viva voce.
Vote in House, viva voce.
Date signed by the Governor,
April 16, 1937.

H. C. R. No. 96:
Vote in Senate, viva voce.
Vote in House, viva voce.
Date signed by the Governor,
April 16, 1937.

Assuring you of my sincere pleasure in performing this service, I am
Yours very truly,
M. E. SANDLIN,
Assistant Secretary of State.

Austin, Texas, April 19, 1937.
Hon. Bob Barker, Secretary of the Senate.

Dear Sir: I submit herewith a list of bills and resolutions passed by the Forty-fifth Legislature which were filed in this office Saturday, April 17, 1937:

H. C. R. No. 59:

Vote in Senate, viva voce.

Vote in House, viva voce.

Date signed by the Governor, unsigned.

Assuring you of my sincere pleasure in performing this service, I am
Yours very truly,

EDWARD CLARK,
Secretary of State.

By: M. E. SANDLIN,
Assistant Secretary of State.

Reports of Standing Committees.

Committee, Room,
Austin, Texas, April 19, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 479, A bill to be entitled "An Act making an emergency appropriation out of the General Revenue Fund of the State to the Attorney General's Department, for the purpose of paying costs in civil cases, for the balance of the fiscal year ending August 31, 1937, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

REDDITT, Chairman.

Committee, Room,
Austin, Texas, April 19, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 185, A bill to be entitled "An Act appropriating Five Million Dollars (\$5,000,000.00) per year, or so much thereof as may be necessary for the next biennium beginning September 1st, 1937, and ending August 31st, 1939, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, attaching conditions, regulations and limitations relative

thereto; authorizing aid to such schools in accordance with the conditions specified herein; providing for the maintenance for certain length of term of all schools meeting the requirements of this Act; authorizing the use of an amount not to exceed a certain sum for the payment each year of the biennium for high school tuition for rural school pupils according to the provisions of H. B. No. 158, General Laws, Regular Session, Forty-fourth Legislature; providing for the payment of Transportation Aid under certain conditions; specifying the penalties for violation of any provision of this Act; providing assistance for rural schools that will afford instruction and demonstration in home and farm vocations, providing all costs of administering funds named in Section 13, shall be paid out of money appropriated in this Act and shall not exceed amounts appropriated by the general appropriation bill for support and maintenance of the Executive and Administrative departments and agencies of the State for biennium ending August 31st, 1939; authorizing the State Board of Education to administer the funds appropriated herein; providing purposes for which funds appropriated hereunder may be used; defining powers of State Board of Education; providing for appointment of certain employees; providing for application for Aid; making certain exceptions for counties with less than one thousand, four hundred (1,400) scholars; providing for transfer of entire district under certain conditions; defining the manner of payments and disbursements of all moneys granted under the provisions of this Act, making provisions for performance of duties authorized in this Act in counties where there is no county school board; enacting other provisions necessary and incidental to the provisions of this Act; providing the State shall not be pledged nor obligations incurred against the Rural Aid Fund in any one year in excess of the amount appropriated; providing for qualifications for teachers in schools receiving State Aid and making certain exemptions; providing no financial aid shall be withheld because of deficiency in certificate held by teachers in a school unless such deficiency is covered by a rule or regulation

expressly provided by Statute of the State of Texas; providing that the tax provisions and other inhibitions provided in said bill shall not apply to school attended by Alabama Indians in Polk County; declaring the rule in event any provisions of said Act is unconstitutional or invalid; repealing all laws and parts of laws in conflict herewith, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute in lieu thereof, do pass and be printed.

REDDITT, Chairman.

Committee, Room,

Austin, Texas, April 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 476, A bill to be entitled "An Act amending Chapter 174, Acts Regular Session, Forty-fourth Legislature by adding thereto a new Section to be known and designated as Section 1a following Section 1 of said Act, and amending Section 3 of of Chapter 174, Acts Regular Session, Forty-fourth Legislature, re-appropriating the unexpended balances of the appropriation for Three Million Dollars (\$3,000,000.00) made in said Act according to the allocation of said fund as made in Section 1 thereof and re-creating the Commission of Control for Texas Centennial Celebration and prescribing the duties of said Commission and amending Section 18, Chapter 174, Acts Regular Session Forty-fourth Legislature in order to re-appropriate the unexpended balance of the One Hundred Thousand (\$100,000.00) Dollars heretofore appropriated to the use of the State Board of Control for the purpose of paying expenses for the administration of the duties imposed upon said Board under the Act, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

REDDITT, Chairman.

Committee, Room,

Austin, Texas, April 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on In-

terstate Cooperation, to whom was referred

H. B. No. 985, A bill to be entitled "An Act providing for the extension of the Rio Grande Compact, authorizing the Texas member of the present Rio Grande Compact Committee and his successor in office, to act as Commissioner and to negotiate with the Commissioners representing the States of Colorado and New Mexico for a new and permanent Compact, subject to ratification by the Legislature, and authorizing such Commissioner to administer the provisions of such Compact; providing for his compensation, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

ONEAL, Chairman.

Committee, Room,

Austin, Texas, April 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1057, A bill to be entitled "An Act providing that in certain counties convicts, either laying their fines out in jail, or working such fines out on the county farm or on the county roads or other public works, shall receive a credit therefor of One Dollar (\$1) per day for each day worked, or spent in jail, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Committee, Room,

Austin, Texas, April 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom referred

H. B. No. 527, A bill to be entitled "An Act amending Article 1104 of the Penal Code of Texas, as amended by the Regular Session of the Forty-fourth Legislature, Chapter 154, General and Special Laws of 1935; and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass and be printed.

STONE, Chairman.

Committee, Room,
Austin, Texas, April 16, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bills Nos. 13, 230, 461, 473, 474, 32, 407 and 132 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee, Room,
Austin, Texas, April 16, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 53 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee, Room,
Austin, Texas, April 16, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 55 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee, Room,
Austin, Texas, April 16, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 89 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

SIXTY-SECOND DAY.

(Tuesday, April 20, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin	Head
Beck	Hill
Brownlee	Holbrook
Burns	Isbell
Collie	Lemens
Cotten	Moore
Davis	Neal

Nelson	Spears
Newton	Stone
Oneal	Sulak
Pace	Van Zandt
Rawlings	Weinert
Redditt	Westerfeld
Roberts	Winfield
Shivers	Woodruff
Small	

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

Reports of Standing Committees.

Reports on Senate Bills Nos. 466, 198, 459, 372, 373, 467, 389 and 481 and on House Bills Nos. 863, 291, 789, 115 and 116 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

Senate Resolution No. 70.

Senator Oneal offered the following resolution:

Resolved that the Senate hold a session at seven thirty o'clock Tuesday evening, April 20th, for the purpose of passing local and non-contested bills, with the agreement that if three Senators present object to the consideration of a bill, the author or sponsor of the bill will not insist on a consideration of the same at that session; provided that each Senator desiring to pass a bill or bills at that session give the number of the same to the Calendar Clerk by eleven thirty o'clock today in order that a calendar of the bills to be considered may be in the hands of the Senators this afternoon.

The resolution was read.

On motion of Senator Oneal and by unanimous consent, the regular order of business was suspended to permit consideration of the resolution at this time.

The resolution was adopted.

Senate Bill No. 345 with House Amendments.

Senator Rawlings called up Senate Bill No. 345 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amend-